



S T A T E B A R O F M I C H I G A N

May 9, 2011

The Honorable Rick Jones
Chair, Senate Judiciary Committee
State Capitol
P.O. Box 30036
Lansing, MI 48909-7536

The Honorable Stacey Erwin Oakes
State Representative
State Capitol
P.O. Box 30014
Lansing, MI 48909-7514

Re: **Criminal Record Expunction Eligibility**
SB 159 (Jones), SB 244 (Jones) and HB 4106 (Oakes)

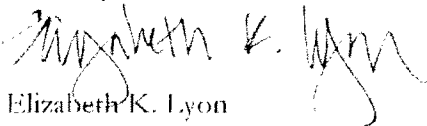
Dear Senator Jones and Representative Oakes:

The State Bar of Michigan has been on record for over six years supporting changes to the criteria allowing an individual to apply for criminal record expunction. We are committed to assisting in the successful advancement of expunction legislation into law this session.

I recently communicated to you positions adopted this session by the State Bar Board of Commissioners, who unanimously voted in support of SB 244 and HB 4106, which are identical bills as introduced. The Board was encouraged to see legislation proposed that was similar to HB 4405 (2009) sponsored by then-Representative Andy Coulouris. HB 4405'09 garnered bipartisan support both in cosponsors to the bill and in a subsequent vote by the House Judiciary Committee in May of 2009. The introduction of SB 244 and HB 4106 is a welcomed reiteration of that bipartisan support for the proposed statutory change.

SB 244 and HB 4106 have broad support in the legal community from various voices that represent different perspectives. The State Bar has received strong indications of support from prosecutors, criminal defense lawyers and judges. Civil law practitioners have echoed that support based on the often overwhelming civil collateral consequences of a criminal conviction. Our experience tells us that SB 244 and HB 4106 represent the version of expunction legislation most strongly requested by the judges, prosecutors, defense attorneys, and civil law practitioners consulted before the Board adopted its position.

Sincerely,



Elizabeth K. Lyon
Director of Governmental Relations

CC: The Honorable John Walsh, Chair, House Judiciary Committee